



Honorable A. W. Harris Acquitted.

Testimony of Witnesses in the Case.

THE MAYOR DID NOT BELIEVE THEM—TRAINER AND DAILEY ACCUSE THE OFFICE-HOLDER—MORE ABOUT THE COTTON. AN EMPHATIC DENIAL.

The Mayor's court (Mayor Jones presiding) was engaged Friday, Dec. 1st from ten o'clock A. M. until 2:30 P. M. in the trial of A. W. Harris (colored), charged with the larceny of two bales of cotton from Arrington & Green—one of the value of \$42.18 and the other of the value of \$52—and the larceny of 42.18 from J. C. Robinson, the purchase money of one of the alleged stolen bales of cotton. The court room was crowded, and the testimony was heard closely. Mr. R. H. Mann, the attorney for the Commonwealth, looked after the interests of the State, and Mr. Bernard Mann appeared for the accused.

WILLIAM DAILEY TESTIFIES.

The first witness examined was Wm. Dailey (colored), who testified that he was agent in this city for the United Endowment Association of Virginia, and that for several years past he had been employed by A. W. Harris and that his duties were to clean up Harris' office and to attend to his banking and other personal business. The witness introduced a batch of Harris' papers to sustain his assertions, among which was a bill of sale for a lot of peanuts which had been made for Harris by Mr. J. C. Robinson, but which had been made out in Dailey's name, at his request. The witness then went into detail in telling of his collecting \$42.18 from J. C. Robinson for the sale of one of the bales of cotton, with which Harris was charged with having stolen.

SAID HARRIS SENT HIM.

Daily stated that he told Mr. Purdy that Harris had sent him there to collect for the cotton; that Mr. Purdy paid him in currency and that he carried the money to Harris' office and gave it to him then and that Harris said it was correct. Witness said that Harris then gave him one dollar. Witness stated that Harris always gave him fifty cents or one dollar whenever he did anything for him. Witness said that he saw Robert Trainer in the neighborhood of Harris' office last Thursday night a week ago. Trainer came up and said to Harris: "Can I speak to you for half a minute?" Harris said "yes, you can speak to me for five minutes." Witness did not hear the conversation.

DID NOT KNOW IT.

On cross-examination, Dailey said he did not know that Harris had not raised cotton in two or three years, that on Friday morning about 7 o'clock he went to Mr. Robinson's store to tell Trainer that Harris could not send him any more cotton. Harris replied to Dailey, "go away; I am not satisfied." Witness said that Trainer subsequently came to his house and told him not to come to the store any more. Witness said the next day he went to see if there was anything wrong about the cotton. Witness declared that Trainer's wife did not tell him if he did not tell Trainer alone he would get in the bill of sale for the cotton was in Harris' name; said he had never told George Dabney that Trainer and himself had gotten into a mess and that he (witness) had to get out the best way he could. Witness said he knew nothing about the cotton and that he was an innocent party to the whole affair.

TRAINER STOLE THE COTTON.

Robert Trainer (colored) was the next witness examined. He testified that he saw A. W. Harris on last Monday night a week ago about 7 o'clock at Mr. Alexander Wilson's store. Harris told him that he (Harris) had something for him (Trainer) to do for him. Trainer asked what it was, and witness stated that Harris "old him that there were lots of bales of cotton and peanuts on the street in front of Arrington & Green's store and also in front of Mr. J. C. Robinson's store, and that he wanted him to get one of the bales of cotton and put it in Mr. Robinson's cellar. Trainer said that he put the cotton on the first floor and that night he saw Harris and told him that he

had stolen the cotton and that Harris told him to sell it.

DEFENDED DAILEY.

Witness said as far as he knew Dailey did not know that there was anything wrong. Trainer said he saw Harris the following Tuesday night and Harris gave him \$29. The other bales of cotton, Trainer stated, he rolled from the sidewalk in front of Arrington & Green's store to Mr. Robinson's store and placed it in the cellar. He saw Harris in his office that night. Witness said he marked the cotton "A. W. H." himself.

On cross-examination, Trainer said he rolled the first bale of cotton into Mr. Robinson's store between 6 and 7 o'clock Monday night. The cotton was between the stores of Arrington & Green and the store of Mr. J. C. Robinson.

ROLLED IT IN QUICKLY.

It took but a few minutes to roll it in, said the witness. He went right over to Mr. Alex. Wilson to tell Harris that he had the cotton. Trainer said Harris made the proposition to him to steal peanuts and cotton and that he would "whack" up with him. This was on Monday night about 7 o'clock. Witness had never had any transaction with Harris before.

In answer to a question by the Mayor, Trainer said he had never been to Harris' house. They had taken drinks together and Harris paid for them. Harris gave him a drink Monday night. Witness said Harris would give him a drink when ever he met him, if he (Trainer) asked him for it.

TOLD ALL ABOUT IT.

Trainer said that he got the second bale of cotton after a lot of cotton had been unloaded by Mr. Collier. After Mr. Collier left he put the cotton in Mr. Robinson's cellar. He cut the mark "J. H. R." off and put on it "A. W. H." Witness said he went to Harris' office and told him he had the bale of cotton. Witness did not know that the bale had been found until the next morning, when he found a lantern and truck where he had not left it. Trainer admitted having gone to Dailey's house on Friday morning and having told him not to come to the store as things were so "confused."

STATED HIS REASONS.

The reason he had told the Mayor he had taken the cotton for a joke was because he wanted to get out of it. Trainer said that when Harris gave him the \$29 he said that he would give him (Trainer) more this time but that the next time he (Harris) would take more. He had seen Harris in Mr. Robinson's store, but did not remember when it was. He did not know whether Harris had ever sold any cotton there.

In reply to a question by Commonwealth's Attorney Mann, Trainer stated that he did not tell that there was a conspiracy between Harris and himself until after Harris' arrest.

DAILEY GOT THE MONEY.

Mr. Purdy, who clerks for Mr. Robinson, stated that he sold the bale of cotton and paid the money, about \$42.18, to Wm. Dailey. The money was paid in currency and Dailey had asked for it in that way. Mr. Purdy said he made the bill of sale in the name of A. W. Harris. The cotton, said the witness, was on their receiving book in the name of A. W. Harris. Friday morning Dailey came to his store and asked him if there was anything wrong about the cotton.

Mr. Charles Collier testified to the delivery of several bales of cotton on Monday night in front of Arrington & Green's store and of J. C. Robinson's store, and of the finding of the alleged stolen cotton in Mr. Robinson's cellar and swearing out of a warrant for Trainer.

MR. HARRIS DENIES ALL.

The first witness for the defense was A. W. Harris, the accused. He testified that on Friday about 1 o'clock, while he was in his office in

Richmond, some one called him up on the telephone from Petersburg. He answered the phone, and Capt. Ragland, chief of police, asked him if he (Harris) had authorized any one to sell cotton for him. Harris said he told Captain Ragland that he had not sold any cotton for two or three years. Captain Ragland then said that there was something crooked. Harris said that he told Captain Ragland that he would be over in the afternoon. Harris stated that he came over on the 4 o'clock car and went to the station house. Captain Ragland said to him: "Harris, some one has sold a bale of cotton in your name for \$42.18."

NO MONEY; NO COTTON.

Harris said he told the Chief that he had received no money, and had sold no cotton. Dailey was brought in and went over the same story he has told here to-day. He said to Dailey: "You know I have not grown any cotton." Harris said he had no knowledge of Trainer. He had met him in Mr. Alex. Wilson's store, but had never taken a drink with him. He would throw down a nickel for Trainer's drink but did not drink with him. Harris said he did not know where Trainer's home was. He had never owned a bale of cotton in his life.

SOLD ONLY IN SEED.

He always sold his cotton in seed. He had not been in Mr. J. C. Robinson's store for three years until about the first week of October, when he went in there to see about some peanuts. He had been seeing Dailey every morning for the past two years. For the past eight or ten

CONTINUED ON EIGHTH PAGE.

A Modern Shopping Temple.

The Cohen Company has now completed the improvements in their mammoth establishment and can now lay just claim to being the happy possessors of one of the largest establishments of the kind in all the South-land. The cost of improvement has been \$102,000 and the value of the stock offerings approximately \$400,000.

This firm knows what it is talking about when it announces that it can quote prices that will save you money. It is the close buyers paradise. The Cohens are closely identified with Richmond's progress and by years of persistent effort have built up a business that any one might envy. You need Christmas goods. Call and see them. Their salesmen and sales-ladies understand the business thoroughly and will treat you right. Read the quotations made to PLANET readers in another column. Out of town orders promptly filled. Mention the PLANET and they will know exactly to what you refer in the matter of prices.

—Mr. C. W. Wilson, the tailor and haberdasher, has opened a unique establishment in Manchester, Va. He may be found at 1420 Hull St.

Go to the Richmond Business League

Actions speak louder than words. If we want to do business, let us attend our business League and encourage business people. The Richmond Business League meets the 2nd and 4th Thursday evenings in each month at the League Hall, 3rd St. between Marshall and Clay. Next Thursday night at 8:30 the meeting will be called to order and an interesting discussion will be had on the subject "Does it pay to be in business?" All men and women engaged in business are invited to be present; all who are doing any sort of honest work for a living are requested to be present; all professional men and women are requested to be present. Remember the time—Thursday, Dec. 14th, 1905. W. F. Graham, Pres. John T. Taylor, Rec. Sec. W. F. Denny, Cor. Sec.

WANT THE NORMAL SCHOOL BUILDING.

An Effort Being Made to Take it from the Colored Pupils.

Councilman Woodburn on last Monday night offered a resolution which was adopted providing for the removal of the white children from the Leigh St. School, First and Leigh Sts. and the placing of this building at the disposal of the Richmond High and Normal School pupils and accordingly the practical abandonment of the attractive building of the Richmond High and Normal School. What is to be done with the building vacated by the colored pupils, "deponent sayeth not." Here is the resolution:

Whereas the Leigh St. School is not now desirably located for the maintenance at that point of a school for white children, but is suitable for the High and Normal School, maintained for colored pupils; therefore, be it Resolved by the Common Council, the Board of Aldermen concurring, That the Committee on Police Elections and Schools be, and they are hereby, directed in connection with the School Board, to inquire into the propriety and feasibility of providing another location and building for Leigh St. School, in order to make practical the removal of the High and Normal School to the building now used for the Leigh St. School, and to report to either branch of the Council the result of their investigation with such recommendation as they deem advisable in the premises.

Must Go to the Penitentiary.

The Supreme Court of Appeals has refused to grant a writ of error to Mrs. Mary Estelle Smith, (white) convicted of brutally beating her little son to such an extent as to cause his death. She was sentenced by the Hustings Court of Manchester, Va. to five years in the penitentiary and must serve the time. She was defended by Mr. H. M. Smith, Jr. and Mr. Ernest Wells.

A Change at the Penitentiary.

Superintendent S. M. Bolling of the Virginia Penitentiary has resigned that position to accept the position of clerk of the Circuit Court of Bedford county. The position is for an unexpired term of six years. As the position was to be filled at once and he could not hold two offices, he telephoned his resignation. The Board of Directors was in session at the time and the same was accepted.

Assistant Superintendent E. F. Morgan was named to succeed him. The new appointee will hold office for two years. During recent years it has been difficult for a person to hold the office of Superintendent of the Virginia Penitentiary for more than one term, and it may be that Mr. Bolling anticipated his finish. Mr. Morgan will have a chance to arrange his fences with a view to succeeding himself. He is highly spoken of and seems to understand all of the details of his onerous duties.

Colored Man Kills Two White Men For Slaying His Dog.

HOPE, ARK., Nov. 28.—This morning, seven miles east of here, in Nevada county, Squire Smith, a colored man, went to the field where John and Count Cleghorn, white, were working and shot them both, killing Count at once. John died in a few hours from his wounds. A few days ago the Cleghorns killed the negro's dog and he said at the time that if he could find out who did it he would kill them. The Cleghorns were well-to-do farmers. Both were married and leave families.

A posse left here at noon to arrest the colored man.

—Rev. Thomas H. White of Chilton Forge was in the city and called on us.

—Mrs. Julia Plippin, the mother of Mrs. Miles C. Debbress is now in the city at 110 W. Leigh St. She will not return to New York until after the holidays.

—Messrs. Snyder and Hundley are now ready for your trade and if you wish to feel happy and enjoy Christmas, go there and look at the magnificent display of household goods. They have searched the north and west for bargains to please you and it is with a pleasing satisfaction that they invite you to call and see them. You can buy no better goods anywhere in this country and their past record will satisfy you that they quote low prices. Cash or credit, it is, call and see them.

Judge Speer Orders Shackles Off.

The Celebrated Case in Georgia.

HENRY JAMISON IN CHARGE OF UNITED STATES MARSHAL—WILL PUNISH OFFICIALS FOR CONTEMPT.

MACON, GA., DEC. 3.—Now that

Judge Speer has again interfered in the Jamison case, no little speculation is being indulged in as to what he will do with Chief Conner, of the police department, City Attorney Minster Wimberly, and Superintendent Wimberly, of the Bibb county chain-gang, when they are arraigned before him on January 2 next, to answer to the contempt proceedings brought against them by Attorney Alexander Akerman, who is handling Jamison's interests.

A POOR ADVISER.

It was on the advice of Attorney Wimberly that Chief Conner re-arrested Jamison, and sent him back to the chain gang. Mr. Wimberly argued that even though the mandate of the United States supreme court had not been made the judgment of the federal court here, it terminated the case so far as Jamison's right to remain out of the chain gang.

Since Judge Speer, however, has intimated by his order releasing Jamison a second time, that the negro has exhausted every remedy in the state court, and also recited the fact that he was arrested at midnight without a warrant before the mandate had been made the judgment of the federal court, many there are who believe he will hold that Chief Conner and the other officials are in contempt of court.

FREE OF SHACKLES.

Although he is free of the stripes and shackles of the Bibb county jail, Jamison is not yet at liberty, but is confined in the Bibb county jail subject to the orders of United States Marshal White. In his order turning Jamison over to Marshal White, Judge Speer authorized that official to release Jamison under a bond of \$100, but so far Jamison has not made good. The indications are, however, that he will make this bond, and be at liberty tomorrow pending a hearing of his case at Valdosta on December 11.

Macon, Ga., Dec. 2.—Claiming that he has exhausted every remedy in the state courts to secure his liberty from the Bibb county chain-gang, Henry Jamison, the negro prisoner, made famous by his fight on the Recorder's court, applied for and received from Judge Speer another writ of habeas corpus and tomorrow morning he will quit the stripes and shackles of the Bibb gang for the custody of the United States Marshal.

THE COURT'S ORDER.

An order was served on Superintendent Wimberly this afternoon requiring him to immediately turn Jamison over to the United States authorities, and he will be brought in from the convict camp in the country tomorrow morning. The petition was presented to Judge Speer by Attorneys Akerman & Akerman and they alleged that when Jamison had filed his bill of exceptions to Judge Felton's rulings sending the negro back to the gang without bond, he had exhausted every remedy in the state courts and was now being illegally deprived of his liberty.

Just whether or not Jamison will be discharged from custody by Judge Speer will be determined at the hearing which is ordered to take place in Valdosta on Dec. 11.

UNLAWFULLY ARRESTED.

The petition alleged that Jamison was rearrested at midnight by the Macon police, without authority or warrant, before the mandate of the United States court had been made the judgment of Judge Speer's court and for that reason he should not have been arrested.

In the order returning Jamison from the gang, Judge Speer says that the negro is without remedy in the state court, is denied the ancient and constitutional right of bail, and is actually undergoing an illegal sentence.

DEFIED STATE AND COUNTY OFFICERS.

Judge Speer, to prevent the Ma-

con police or the Bibb county officials

from again interfering with Jamison orders that in case any official, state or county arrests or seizes Jamison, that such official shall be taken into custody by the United States marshal and arraigned before the federal court.

City Attorney Wimberly will appear at Valdosta when the case is heard and will fight it out for the city. He said tonight it was his opinion that Judge Speer would hear the case immediately and give a decision remanding Jamison back to the chain-gang.

Cadets in Petersburg.

Pythian Cadet Co., No. 1, Capt. Roscoe C. Mitchell commanding, went over to Petersburg, via Sea-board Air-Line R. R. on Thanksgiving Day. It was accompanied by Brigadier General John Mitchell, Jr. and was met at the train by Sir D. B. Cornish and others. The boys' drum corps tapped the Company to Wilkerson's Hall. Later Capt. Mitchell gave an exhibition drill which was witnessed by white and colored. The parade took place at 3 P. M. The Cadets were cheered along the route. The banquet served to the boys by the ladies was very fine. The Cadets reached Richmond at 5:30 in the afternoon and marched to the Pythian Castle. Gen. Mitchell came over with them but returned to Petersburg at 7:25 for the purpose of instituting the new lodge.

District Deputy Grand Chancellor Edward Wood and his Madame and the ladies managed the affair. Sir Cornish marched over the route with the Cadets as did also Gen. Mitchell and Capt. Adolphus Jackson. Gen. Mitchell dined with Sir Cornish.

A Worker at Winston.

Winston, N. C., Dec. 4th, 1905. Mr. Editor,

Will you please allow me a small space to say a word in your noble paper. It comes to our town as a welcome visitor. I am at work very hard trying to get a nice list of subscribers who will take it each week. I have some good ones who want it every week. If I can get them to read it one week they always want it the next week. It is the paper our people ought to read, it brings to them something good that will build up the race. It ought to be in every family.

It would make home happy and remove many of the blights of life which are now experienced among us. You will hear from me again soon.

I am yours in the work,
A. C. WOODRUFF,
530 Sycamore St.

Notice to the Public!

The following gentlemen are no longer members of the Theban Beneficial Club, and their names have been dropped from our books for delinquency: Messrs. Wm. O. Christian, William Rows, John Woolfolk, Charles Williams, James Williams, Carroll Thomas, Walter Smith, Geo. Fry and William Brooks.

Done by order of the Theban Beneficial Club.

L. R. EDMONDS, Pres.
W. W. WILSON, Sec.

Mrs. Ella C. Claiborne, the President

of the Auxiliary of the Old Folks Home, 115 W. Jackson St., wishes to thank Mrs. Ella Ondley Waller and friends for supplying the store room last week with many good things.

Yours truly,
ELLA C. CLAIBORNE.

JACKSON—KERSEY.

The marriage of Miss Clara L. Kersey to Dr. James E. Jackson will be celebrated Thursday, Dec. 14th, 8 P. M. at the home of the bride, 100 W. Leigh St. Reception 8:30 to 10:30. Friends invited. No cards.

OSTRACISED BY VERDICT.

Court Declares Girls White, and Five Hundred People Are Put Under Ban.

Asheville, N. C., Dec. 5.—The decision last week of the Federal Court in favor of the six Gilleland girls, who brought suit to compel the county board of education to admit them to the white school of Aversy Creek township, has resulted in racial ostracism of the Gilleland and Graham families, of whom there are probably 500, who have intermarried, living in the mountains. The real object of the suit, it is said, was to establish that the Gillelands are of Portuguese, not negro blood. In effect they were adjudged to be whites, but their white neighbors have ostracised them as never before and the entire community, which before the bringing of the suit felt no antagonism against the Gillelands and Grahams, is now violently antagonistic.

Thanksgiving Day in the Aversy Creek township was observed by the holding of two big mass meetings, at which resolutions were passed denouncing the decision of the court, calling on the board of education to carry the case to the Supreme Court, and declaring that the people would never recognize the Gillelands as whites.

Aversy Creek's extremists have begun a movement to run the Gillelands and Grahams away from their homes, and take more extreme measures if the girls attempt to attend the white school, which so far they have not done.

The Great Foreign Mission Mass Meeting.

All are cordially invited to attend a Great Meeting at the 5th St. Baptist Church Sunday, Dec. 10th, 1905 at 3 o'clock. Dr. L. G. Jordan, Sec'y. of the Foreign Mission Board of the National Baptist Convention, together with Miss Delaney, who has been laboring in Africa for the past four years will be present and address the meeting. All Sunday school workers and friends are requested to come out and help the worthy cause. A committee of twenty is sparing no pains to make the meeting a success.

Dr. W. F. Graham Improves From Throat Troubles.

Dr. Graham's many friends will be glad to know that after two surgical operations, his throat troubles are rapidly healing and he will soon be as strong as ever. He preached last Sunday twice at the 1st Baptist Church Newport News, assisting Dr. H. H. Harris in a rally. Five hundred and sixty dollars was the amount raised, notwithstanding the day was a dark and rainy one. On Monday night he addressed a large gathering of the Sons and Daughters of Peace on business matters; on Tuesday night he was in Williamsburg and preached and lectured at the Union Baptist Church to a large crowd. Rev. Binford, pastor. He reports Rev. Binford doing a grand work. Mr. W. H. Hillman is succeeding grandly with the work of the American Beneficial Insurance Company. Dr. Graham will spend to-morrow with Big Bethel Baptist Church, Dinwiddie Co. He has been invited to Augusta, Ga. to preach the 20th Anniversary of Rev. Dr. C. T. Walker, but under the advice of his Physician he is afraid to go on so long a trip until he has fully recovered from his throat trouble.

Mr. James Patterson Injured.

Mr. James Patterson was painfully injured at his blacksmith shop, while shoeing a horse Friday, Nov. 24th, 1905. The animal became frightened and ran back, stepping on the foot of Mr. Patterson with one of his fore feet that had just been shod. He has been confined to his room at 225 W. Leigh St. ever since although he is much improved and is now out of danger.

Read our Xmas Advertisements.